

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

United States Courts
Southern District of Texas
FILED

AUG 18 2011

MICHAEL TED LAMB
PLAINTIFF,

2:11-CV-00027

David J. Bradley, Clerk of Court

V.

C.R. 550

RICHARD CRITES, ET AL,
DEFENDANTS.

Motion for Extension of Time to File for Discovery

To the Honorable Judge of Said Court,

Comes now Plaintiff in the above entitled and numbered cause and will show unto the Court the following:

I

On July 7, 2011 plaintiff mailed a First Request for Production of Documents do defendants. On August 10, 2011, defendants filed an objection to all of plaintiff's discovery request. On June 9, 2011, this Court issued an order that discovery would cease on September 16, 2011.

II

Plaintiff respectfully requests that this court extend discovery for an additional thirty days. This extension would allow discovery until, and to include, October 17, 2011. The extension of time is needed for the following reasons:

(1) The unit plaintiff resides is on administrative lockdown, which began on August 9, 2011, for a unit shakedown. These lockdowns usually last a minimum of 30 days. During the lockdown plaintiff is unable to attend the law library, thus, seriously diminishing his ability to litigate. In addition, plaintiff, in the summer months, does all of his legal writing in the airconditioned law library because it is near impossible to do so in the unairconditioned dorm where plaintiff resides. The extreme heat causes ones arms and hands to be constantly wet with sweat. Therefore, the paper gets wet and once the paper is damp, the cheap pens inmates purchase on commissary will not write on the damp paper.

(2) Plaintiff, being an unskilled litigant, is somewhat confused as to what this court is expecting from plaintiff and defendants during this discovery process. Plaintiff was expecting the defendants to work with him to try and avoid discovery disputes, in an effort to keep this court from having to be involved in something the parties could resolve themselves. Plaintiff assumed this because that is how discovery proceeded in his previous litigation in this court. Plaintiff sent his first request and made it clear if they had any questions that plaintiff would certainly work with them. Defendants then file an objection to

everything that plaintiff requested. Defendants attempts to thwart plaintiff's litigation has now gone beyond harassment on the unit to acting in bad faith in the litigation process. Some of the defendants' objections are so absurd, such as denying some requests because plaintiff didn't specify what unit he was seeking discovery from. Plaintiff assumed all parties were aware that the incidents occurred on the McConnell Unit. All of defendants' objections are frivolous and designed to bog down this litigation and prejudice plaintiff from receiving necessary information to prove his case.

(3) Plaintiff will submit one more request for documents and some interrogatories. There is no doubt defendants will object to these requests. Therefore, it would probably be advantageous to this court to resolve all disputes at one time, since it appears the defendants don't plan on working with plaintiff.

(4) Plaintiff reminds the defendants and this court he is more than willing to work with defendants to resolve these issues. The additional 30 days may assist this court in allowing the parties to have time to resolve some of the discovery issues.

Plaintiff respectfully request an additional 30 days for discovery. The 30 days are necessary to allow plaintiff to access the law library. The additional time will not prejudice defendants. Therefore, plaintiff's request for additional time for discovery should be GRANTED.

Respectfully Submitted,

Michael Ted Lamb

Michael Ted Lamb #790214
August 15, 2011

Declaration

Pursuant to 28 U.S.C. Title 1746, I do hereby declare under penalty of perjury that the above facts are true and correct.

Esecuted on this 15th day of August, 2011.

Michael Ted Lamb

Michael Ted Lamb #790214

Certificate of Service

I, Michael Ted Lamb, do hereby certify that a true and correct copy of the Plaintiff's Request for Additional Time has been served on defendants addressed to the following on this the 15th day of August, 2011, by placing same in the prison mail box addressed to:

Nadine Phillpotts
Assistant Attorney General of Texas
P.O. Box 12548
Austin, TX 78711-2548

Michael Ted Lamb
Michael Ted Lamb #790214

Michael Lamb

790214

3001 S. Emily Dr.

Beeville, TX 78102

SAN ANTONIO TX 782

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Clerk U.S. Dist. Court
1133 N. Shoreline Blvd.
Corpus Christi, TX 78401

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